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ABSTRACT

This report contains information received at a public fact finding meeting held in Moorhead, Minnesota, in 1999. The meeting examined equal opportunity conditions for minority residents in Moorhead, noting possible disparities in four areas: income and employment, education, public safety, and housing and public accommodation. To buttress the data collected, researchers administered attitudinal surveys to white and minority residents. After an introduction to the study, data are presented on the four areas, offering background information, survey results, commentary from public and organization officials, and commentary from the minority community. Overall, there were significant differences between white and minority members' perceptions of equal employment opportunity. Whites perceived that there was equal opportunity in employment and earning, while minorities perceived barriers to equal employment opportunity. Minorities were disproportionately under-represented in the public workforce. The Moorhead Human Rights Commission was perceived as a weak, ineffective enforcement mechanism for ensuring equal employment opportunity. The report recommends that the city commit to an affirmative action program designed to recruit, hire, and promote people of color and that the city vest the Human Rights Commission with real enforcement power. (SM)

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ED 457 281

Minnesota Advisory Committee to the U.S. Commission on Civil Rights

The Status of Equal Opportunity for Minorities in Moorhead, Minnesota

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January 2001

A report of the Minnesota Advisory Committee to the U.S. Commission on Civil Rights prepared for the information and consideration of the Commission. Statements and recommendations in this report should not be attributed to the Commission, but only to participants at the fact-finding meeting or the Advisory Committee.

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Minnesota Advisory Committee to the U.S. Commission on Civil Rights

The Status of Equal Opportunity for Minorities in Moorhead, Minnesota

Letter of Transmittal

Minnesota Advisory Committee to
the U.S. Commission on Civil Rights

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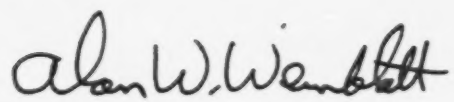
The Minnesota Advisory Committee submits this report, *The Status of Equal Opportunity for Minorities in Moorhead, Minnesota,* as part of its responsibility to advise the Commission on civil rights issues within the state. The Advisory Committee unanimously adopted the report by an 11–0 vote.

This report contains information received by the Minnesota Advisory Committee at a public fact-finding meeting held in Moorhead, Minnesota, on May 25 and 26, 1999. The Advisory Committee is indebted to the individuals who testified at the meeting for their time and expertise and to the staff of the Midwestern Regional Office, U.S. Commission on Civil Rights, for the data analysis and preparation of this report.

The Advisory Committee understands the Commission is charged to study and collect information relating to denials of the equal protection of the law, and trusts the Commission and the public will find the material in this report informative.

Respectfully,



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The Minnesota Advisory Committee wishes to acknowledge Harvey Stalwick, Ph.D., professor of social work, Concordia College, Moorhead, Minnesota, for his assistance in the design and coordination of the survey of households in Moorhead; as well as Amy Phillips, assistant professor of social work at Moorhead State University. The Committee also wishes to thank the following student interns from Concordia College for their assistance in conducting the survey: Michelle Anderson, Michelle Messer, Molly Nefsted, Nancy Neihamer, Chris Saby, Stacy Sieling, Dee Ann Simmons, Angela Stark, Tracy Thiel, and Melissa Warren.

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I. Introduction

THE ADVISORY COMMITTEE REPORT

Purpose and Methodology

The purpose of this project is to study equal opportunity conditions for minority residents in Moorhead, Minnesota. Information was collected along racial and ethnic lines in order to discern possible disparities in opportunity in the areas of (1) income and employment, (2) education, (3) public safety, and (4) housing and public accommodation.

Buttressing the data collected, an attitudinal survey of white residents in the Moorhead community on their perceptions of equal opportunity was undertaken to learn if the majority community thought minorities were subject to unequal opportunity. Student interns, operating under the U.S. Commission on Civil Right's student volunteer program, conducted the survey research. The survey was a scientifically drawn random sample of white households.

The same survey was also conducted with minority households, and is presented in this report with the survey results of the white households to contrast differences in perception between the minority and nonminority communities regarding equal opportunity in Moorhead. Student interns conducted the survey as well.

The data and survey information are buttressed with testimony received at a public fact-finding meeting held May 25 and 26, 1999, to solicit information on race and ethnic relations and equal opportunity from public officials, the minority community, and the general public. To ensure balance in the testimony received, those invited to testify included representatives with knowledge of civil rights and race and ethnic relations in the community from government, industry, community organizations, and both the minority and white communities. In addition, notice of the meeting was published in advance of the meeting date in the *Federal Register*, announcing the location, time, and agenda of the meeting. A session was scheduled to allow any member of the public to address the Advisory Committee.

Comments at the fact-finding meeting were received from (in order of appearance): Morris L. Lanning, mayor; Harvey Stalwick (Concordia College); Richard DuBord (Moorhead State University); Bruce R. Anderson (Moorhead Public Schools); Jeff Kemink (Norwest Bank Minnesota West); Ron Jordan (State Bank of Fargo); David Berg (Crystal Sugar); Ron Baker (Minnesota Workforce Center); Dianna Hatfield (Moorhead Healthy Community Initiative); Yoke-Sim Gunartane (Cultural Diversity Project); Phil Holtan (Concordia College); Abner Arauza (Moorhead State University); Grant Weyland, Wayne Arnold, and Nancy Taralson (Moorhead Police); Richard Henderson (Moorhead Human Rights Commission); Joe Parise (Public Defenders Office); John Hulden (Trinity Lutheran Church); Sharon Altendorf (Guadalupe Project); Duke Schempp, Lisa Diagos, and Theodora Mengi (People Escaping Poverty Project); Michelle Hansen (Legal Services); Jill Danielson, Alisa Rodriguez, Vicky Ortiz, Rachel Arroyo, and Paula Strom-Sell (Mujeres Unidas); Harold Ironshield (Northern Plaines Media Consortium); Hector Martinez (Centro Cultural); and Josie Gonzalez (Minnesota Church Anti-Racism Initiative).

Individuals speaking at the public session were (in order of appearance): Pete Padilla, Sonia Hohnadel, Juanita Yzaguirre, Anita Flores Sunigi, Pamela Renville, Darlene Renville, Carolyn Renville, Vicente Amoles, Steve Amenyo, Carey Lyon, and James Carpenter. Comments received from all individuals and organizations were considered and are included in the Committee's report.

Organization and Focus

This study examines equal opportunity for minorities in Moorhead, Minnesota, in four areas: (1) income and employment, (2) public education in grades K–12, (3) public safety, and (4) housing and public accommodation. In chapter two, each area is a specific section. Following an introduction, each section has three parts: survey of the attitudes of white residents, commentary on the issue from public and organization officials, and commentary on the issue from members of the minority community. In chapter 3, the Committee presents its findings and recommendations.

Harvey Stalwick, professor of social work at Concordia College (Moorhead, MN), opened the Committee's meeting with testimony about the pernicious effects stereotyping and racism have on a community.

> The color of one's skin can become a code for sweeping generalizations about persons, generalizations which contribute to a denial of equal opportunity and to social isolation.
>
> In a racist culture, racial features can be used for grounds to discriminate and exploit in the workplace as well as institutions of education and training, and this can result in unemployment, high school dropouts, low literacy rates, as well as low technical skills.
>
> People [then] make generalizations [on the basis of color], and the accompanied culture of despondency is attributed to cultural shortcomings. Persons' unique assets, their culture, their history, spiritual values, skills, and credentials all vanish into thin air because of this generalization. As a result of this nonrecognition and low citizen status, individuals [minorities] are often marginalized and alienated.[1]

Sharon Altendorf from the Catholic Diocese of Moorhead and the Guadalupe Project stated that minorities, and the Latino community in particular, are not newcomers to the Fargo-Moorhead area. Still, these groups suffer disproportionately from unequal opportunity. The Guadalupe Project is a coordinated ministry of the three Catholic parishes of Moorhead and Dillworth. It provides both a welcoming outreach and pastoral services to Latinos. Altendorf told the Committee:

> The greater metropolitan Fargo-Moorhead area has become worse in its acceptance of Latinos. Latinos began coming to this area over 80 years ago, but today if they are seen, the perception and the word used still say they are the migrants or the people on welfare, the youth gangs, they're into drugs.
>
> My concerns go on a day-to-day basis: for example, the inability of Latinos to get a job. Recently a local television reporter had a story on the large number of available jobs and no one to fill them. That same day our church received a flyer from Job Services in Fargo pleading for jobs for those who lost their jobs at Federal Beef. Also, that same day I spoke with two Latino families representing six workers who for over two weeks had put in applications at every place they saw "Now Hiring" signs and had not received one call back. And they questioned why. They said racism.
>
> In the alternative education program, 80 percent are minorities. That is just unacceptable.
>
> In my work with the penal system, I find the percentages of Latinos with plea bargaining and incarcerated disproportionate. Minorities will tell you that the laws of sentencing are okay if they are practiced equally. But often they need someone who understands their language and customs to defend them. They said that the defense lawyers advise them that they cannot get a fair trial here, even if they are innocent, they need to accept a plea bargain or run the risk of maximum sentence. And they also said judges, police, prosecuting and defending attorneys are all part of the same system [and] will not challenge each other to defend them.[2]

---

[1] Harvey Stalwick, statement before the Minnesota Advisory Committee to the U.S. Commission on Civil Rights, fact-finding meeting, Moorhead, MN, May 24 and 25, 1999, transcript, pp. 24–43 (hereafter cited as Transcript).

[2] Sharon Altendorf, Transcript, pp. 245–55.

Resident Survey

The Committee's fact-finding meeting was buttressed by a survey of resident attitudes in Moorhead regarding equal opportunity for minorities. The survey of randomly selected households in Moorhead was conducted by telephone. Student interns from Concordia College and Moorhead State University under supervision of staff of the Midwestern Regional Office of the U.S. Commission on Civil Rights did the actual survey. The survey consisted of a series of 27 questions, and survey questions discussed at the beginning of each section are related to the topical area. One hundred forty-four white households were surveyed; the survey has an error rate of 7.5 percent and a tolerance range of 0.10. Forty-seven minority households were surveyed. Survey results of minority households are considered representative as the sample was randomly drawn and the sample size exceeded 30, but the small sample size does not allow for a definitive margin of error or tolerance range.

Four initial questions were asked of area residents about the importance of race relations in the Moorhead area in an attempt to discern attitudes regarding any improvement in race relations in recent years. To these preliminary questions, Moorhead residents were asked whether they: (1) strongly agreed, (2) agreed, (3) were undecided, (4) disagreed, (5) strongly disagreed, or (6) did not know to the following statements:

- Equal opportunity and full integration for minorities in Moorhead are important for the community.
- Equal opportunity for minorities has improved in Moorhead in the past 10 years.
- Race relations and equal opportunity for minorities are social problems in Moorhead.
- The media in the Fargo-Moorhead area generally depict minorities favorably and report on the minority community in a fair manner.

Table 1.1

Survey of Resident Attitudes on Race Relations

[White percents are set out first; minority percents are beneath in parenthesis]

	Strongly agree	Agree	Disagree	Strongly disagree
1. Equal opportunity and full integration for minorities are important	36% (49%)	56% (30%)	7% (16%)	1% (5%)
2. Equal opportunity for minorities has improved in the past 10 years	15% (0%)	80% (33%)	3% (41%)	0% (26%)
3. Race relations and equal opportunity for minorities are social problems in Moorhead	14% (29%)	62% (38%)	24% (22%)	0% (11%)
4. The media generally depict minorities favorably and report on the minority community in a fair manner	7% (4%)	67% (32%)	23% (38%)	3% (26%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Ninety-two percent of responding white residents indicated that equal opportunity and full integration for minorities in Moorhead are important for the community. Similarly, 95 percent of white residents indicated that equal opportunity for minorities has improved in Moorhead in the past 10 years. Among minorities, 79 percent believe that equal opportunity and full integration in Moorhead are important for the community. But in sharp contrast to the white community, only 33 percent agreed that equal opportunity for minorities has improved in Moorhead in the past 10 years.

Both minorities and white residents in Moorhead consider race relations a social problem. Seventy-six percent of responding white residents and 64 percent of minority respondents indicated that race relations and equal opportunity for minorities are social problems in Moorhead. But whereas white residents did not feel that the media portrayed minorities in a negative light (74 percent of responding white residents said the media in the Fargo-Moorhead area generally depicted minorities favorably and reported on the minority community in a fair manner), 64 percent of minorities thought that the media in the Fargo-Moorhead area generally did not depict minorities favorably or fairly. The results are shown in table 1.1.

Moorhead Demographics and Commerce

Population

Moorhead is situated on the western border of Minnesota on the Red River, 231 miles northwest of Minneapolis. The city is in Clay County and borders Fargo, North Dakota. The 1990 census recorded the population of Moorhead to be 32,295, a number little changed from the 1980 census, which put the population at 29,998 residents, and the 1970 census count of 29,687 individuals. The population of Clay County has similarly been stable. The 1990 census reported a county population of 50,422. In 1980, there were 49,327 residents; in 1970, the county had a population of 46,608.

Historically the Moorhead community has been predominantly white, northern European in terms of its ethnicity and cultural influences. In recent decades the area has become more diverse. Racial and ethnic minorities remain a small, but growing, segment of the Moorhead population. The 1990 census counted 152 (0.5 percent) African Americans; 890 (2.7 percent) Latinos; 441 (1.4 percent) American Indians; and 355 (1.1 percent) Asians and Pacific Islanders.

Table 1.2

Population, City of Moorhead

	Number	Percent
White (non-Latino)	30,457	94.3%
Latino	890	2.7%
American Indian	441	1.4%
Black	152	0.5%
Asian	355	1.1%
Total	32,295	

Source: U.S. Commission on Civil Rights, Midwestern Regional Office, from 1990 U.S. census.

The latest information from city demographers indicates that the city's population of persons of color has increased from 4.5 percent in 1990 to 6.1 percent in 1997, and the people who are Hispanic or Latino in ethnic background have increased from 2.4 percent in 1990 to 3.4 percent in 1997, with people moving to Moorhead from the southern United States and Mexico.[3]

[3] U.S. census update, 1996. The statement on individuals moving to Moorhead from the southern United States and Mexico is from survey responses of minority households.

Many of the Asian American residents in Moorhead are students at the local colleges or university. The Asian American and African American communities are relatively newer to the Moorhead area and are the smallest minority constituencies, so this report focuses on equal opportunity for Latinos and American Indians. The Committee, however, found that similar issues affecting the Latino and American Indian communities also affected the Asian and African American communities, and instances of discrimination against individuals of these two groups are discussed in this report.

Family Conditions

Family conditions vary widely, however, along racial and ethnic lines in Clay County. For white households, only 17.2 percent of the families are single-parent households. For Latinos, 36.8 percent of all family households are single-parent homes, and for American Indians 67.1 percent of all family households are headed by a single parent.

Table 1.3

Single-Parent Households, Clay County

	Percent
White	17.2%
Latino	36.8%
American Indian	67.1%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from 1990 U.S. census.

Agriculture and Industry

Total employment in the city of Moorhead is 14,087. Manufacturing jobs account for just 8 percent (1,123) of total employment. The unemployment rate in the area is low, less than 5 percent. The Red River Valley of the North is one of the most fertile and productive agricultural regions in the world, so agribusiness is essential to the city's economy.

There are no large industrial operations in Moorhead. The largest private employers are American Crystal Sugar (refined beetsugar, 450 employees); Moorhead Electric (electrical contractor, 135); Hornbachers Foods (retail grocery, 135); K-Mart (retail, 115); Kost Brothers (concrete and gravel, 100); Festival Foods (retail grocery, 70); Anheuser-Busch (malting plant, 60); Target (retail, 60); and Coca-Cola Bottling (bottling, 50).

Table 1.4

Largest Private Employers in Moorhead

American Crystal Sugar	450
Moorhead Electric	135
Hornbachers Foods	135
K-Mart	115
Kost Brothers	100
Festival Foods	70
Anheuser-Busch	60
Target	60
Coca-Cola Bottling	50

SOURCE: Moorhead Chamber of Commerce, 1998.

Education is Moorhead's biggest business, and the majority of those employed in the city are engaged in education. Moorhead State University employs 800 persons, the public school district employs 700, and Concordia College has 550 employees. Moorhead has eight elementary schools with an enrollment of 3,485, and one junior high and one senior high with 888 and 1,480 students, respectively. Many students in Moorhead attend private and parochial schools. There are 10 K–12 parochial schools with a total enrollment of 2,017 and two private K–6 schools with 550 students.

In addition, there are three postsecondary educational institutions in the Moorhead community, which add to the city's indigenous population. Moorhead State University has an enrollment of about 6,500; Concordia College, a private church-related college has approximately 3,000 students; and Northwest Technical College, which consists of several campuses, has an enrollment in Moorhead of nearly 1,200 students.

Civil Rights Issues Affecting Minorities

Despite the low numbers of minorities, civil rights issues regarding minorities have been of increasing interest due to the significant inflow of Latino residents to the city during the 1980s and 1990s. In 1980, there were fewer than 300 Latinos in Moorhead. The number of Latinos in Moorhead more than doubled during the 1980s, and population estimates show a continued surge in the Latino population in the city and Clay County during the 1990s.

In the mid-1990s, the city of Moorhead initiated the Moorhead Healthy Community Initiative. Part of that initiative involved a survey of community attitudes in Moorhead. Two-thousand Moorhead adults were asked a series of 125 questions about their attitudes on family life, schools, quality of life, and community values. Included in the survey were questions pertaining to racial and ethnic discrimination.

Residents were asked to respond to the following question: "How much, if at all, do you think Moorhead's racial/ethnic minorities are discriminated against in each of the following situations?" The percentage of those responding "some" or "a great deal" are shown in parenthesis: looking for work (55 percent), looking for housing (58 percent), in Moorhead's schools (36 percent), seeking medical help (19 percent), in neighborhoods (53 percent), dealing with police (48 percent), by churches (11 percent), shopping in Moorhead stores (28 percent), dealing with city government (24 percent), and in the workplace (31 percent).

Table 1.5

Resident Survey on Discrimination

Percentage of those surveyed believing minorities in Moorhead encounter discrimination in the following areas:

Housing	58%
Education	36%
Health care	19%
Neighborhoods	53%
Police	48%
Churches	11%
Shopping	28%
City government	24%
Employment	31%

SOURCE: Moorhead Chamber of Commerce, 1998.

Additionally, when citizens were asked if they would support new efforts in Moorhead "to reduce discrimination, even if it cost more in taxes or meant that something else in the City would have to be cut back," 43 percent responded that they "would strongly support this," 43 percent responded they "might support this," and 14 percent responded they "would not support this."

On July 4, 1998, the city experienced its first major civil rights disturbance. It occurred in the Romkey Park area on the city's east side, a predominantly Latino area. That evening police were initially called in to respond to a reported domestic situation. As officers moved to apprehend an individual involved in the domestic disturbance, area Latino residents gathered.

As tensions increased, the police used pepper spray against the crowd, and canine units were used for crowd control. Reinforcement police units from surrounding communities were called in response to reports of officers being pelted by bottles and other objects. The Romkey Park area was eventually surrounded by police units, and several residents were arrested and charged with obstructing the legal process. There was damage to some police cars and other minor property damage, including a bicycle thrown through a window of an apartment building. Area residents charge the police overreacted, indiscriminately using mace and other abusive tactics on Latino citizens.

II. Equal Opportunity in Moorhead

In this chapter, equal opportunity for minorities in Moorhead is examined in four areas: (1) income and employment, (2) education, (3) public safety, and (4) housing and public accommodation. In each area, background data on disparities between the racial and ethnic groups are presented in part one. In part two, survey responses by residents regarding equal opportunity in that particular area are discussed, with the responses divided into two racial/ethnic groups: nonminorities (whites) and minorities (Latinos and American Indians).

The third part is commentary from public officials and community leaders regarding the provision of equal opportunity. The fourth part has two types of commentary from the minority community regarding the provision of equal opportunity in that area. There is commentary from individuals testifying at the public fact-finding meeting and commentary of individuals surveyed.

Morris L. Lanning, mayor, city of Moorhead, addressed the Committee at the opening of the fact-finding meeting. He spoke about the community's appreciation of and openness to diversity and the city's efforts in that respect. In addition, he stated that the city was committed to dealing with discrimination and race problems in a forthright manner.

> I think that this community is a community that by and large appreciates and celebrates its diversity. I think this diversity is welcomed by the vast majority of the people in the community. We have had a relatively low incidence of hate crimes and overt racism. But, to the extent that we have had bad things happen, we have as a community been concerned about that and have undertaken a number of things to try and deal with bad things that can happen, do happen. And what I'd like to do is to sort of highlight a number of actions that we have taken in the community to not only better appreciate and understand each other and our cultural differences, but also to deal with any instances of overt racism or discrimination that may exist in the community.
>
> The first thing I want to mention is that back in 1990 the city council established a Human Rights Commission, and that commission over the last 10 years has worked in assisting people who have had problems or complaints or concerns relative to discrimination . . . But if you want more good things to happen, you need to celebrate and recognize people for the good things that they do, and this has been very well received by the community, these awards. I might note that one of our city council members who I appointed to our Human Rights Commission is also currently president of the state association of human rights commissions, and so Moorhead has been very active on that level as well.
>
> The second thing that we have done in the community goes back to 1994, and actually the work on this started before that. The leadership of our metropolitan area recognized the increasing diversity that was occurring here in our community, and we wanted to have a positive and constructive approach in addressing that diversity. And so we put together a grant to the Pew Partnership for Civic Change, and we received a major grant from Pew to set up a Cultural Diversity Project in the community. And that project continues to this day. They have done a number of programs over the years and training people related to diversity, doing workshops and educational programs throughout the years. The Pew Diversity Project has also provided employment and housing services for people.
>
> Another thing that we have done in Moorhead is to establish throughout the community neighborhood block clubs, and this has been one of the most significant developments I think

in our community over all the years that I've lived here. Like in so many urban areas, people have had a tendency to lose touch with their neighbors and become disconnected with their neighbors. As a result, these neighborhood block clubs have reconnected people to this neighborhood. We have 42 active neighborhood block organizations throughout the community, and a number of the neighborhoods where we've had active block clubs have been neighborhoods that have had significant populations of people of color and people from other ethnic backgrounds.

We also have been active as a community in making good use of our Community Development Block Grant funds, and undoubtedly you will hear some complaints about that during the course of your time here. But I want you to know from my perspective that in all the years that the city has received Community Development Block Grant money, I believe that we have followed the intent of the law in making sure that those funds are directed towards helping low- to moderate-income people. We have spent most of the years, the majority of our funds, on improving housing—helping people to make sure that they have quality housing with their program. We have also through this program supported the Cultural Diversity Project and supported another very important project that I want to mention, and that's called the Moorhead Healthy Community Initiative.

We have also, as a community, worked hard in trying to make sure that we have affordable and quality housing available through—we've followed a scattered-site public housing approach rather than concentrating. We do have some concentrated housing units, but we've also tried to follow a strategy of scattered-site public housing, and we have 18 units around the community. We have a down payment assistance program and first-time homebuyer's mortgage program that assists people. And we are currently in the process of working with a developer to redevelop some rental property.

Last fall we embarked on a visioning project involving the whole metropolitan area, both Cass and Clay Counties and trying to get the community—a cross section of the community—to take a good hard look at what do we want our community to look like in the future—what are the issues that we need to address. Obviously, one of the central issues that came out of that or coming out of that is the dealing with the issues of diversity with race relations. It's been a central theme or focus of this work, and the people involved in this visioning project have made a very deliberate effort in bringing in representation from all the different ethnic groups represented in our community on a cross section. And we look forward to getting the final recommendations on what we can do as a metropolitan community to better celebrate and appreciate our diversity and to improve race relationships in our community. . . .

Let me make it very clear that we want as a community to appreciate and celebrate our diversity, and we want to deal with discrimination and bad things that happen in race relationships and deal with them effectively as a community. We are committed to that.[1]

INCOME AND EMPLOYMENT

Background Data

In terms of per capita income, unemployment, and labor force participation, there is significant disparity between white and minority households in Moorhead. The per capita income for whites in Clay County is $14,197, while the per capita income for Latinos is $5,001, and for American Indians it is $5,124. See table 2.1.

In the private sector, minorities are disproportionately clustered in the lower tier occupations. Whites in the Fargo-Moorhead area are fairly uniformly distributed among the nine major occupational classifications: officials & managers, professionals, technicians, sales workers, office & clerical, skilled craft workers, operatives, laborers, and service workers.

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[1] Morris L. Lanning, statement before the Minnesota Advisory Committee to the U.S. Commission on Civil Rights, fact-finding meeting, Moorhead, MN, May 24 and 25, 1999, transcript, pp. 9–18 (hereafter cited as Transcript).

Table 2.1

Per Capita Income, Clay County, by Race/Ethnicity

	Income
White	$14,197
Latino	$5,001
American Indian	$5,124

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from 1990 U.S. census data.

Among white workers, 8.8 percent and 15.5 percent are in the two highest occupational tiers in terms of wages and administrative responsibility, officials & managers and professionals. In the two lowest tiers in terms of wages and administrative responsibility, 6.9 percent of white workers are laborers and 10.1 percent hold service jobs.

In contrast, minority workers are clustered in the lower tier occupations. Just 2.6 percent of minorities work as officials & managers and only 7.4 percent are in professional occupations. However, 44.9 percent of all minority workers are in service jobs and laborer positions. The data are set out in table 2.2.

Table 2.2

Occupational Distribution in Private Industry Fargo-Moorhead Standard Metropolitan Statistical Area (SMSA), by Race/Ethnicity

	White	Latino	American Indian	All minorities
Officials & managers	8.8%	2.6%	2.3%	2.6%
Professionals	15.5%	4.5%	7.0%	7.4%
Technicians	7.5%	6.0%	7.0%	4.5%
Sales workers	16.7%	11.6%	4.7%	7.2%
Office & clerical	17.6%	12.4%	14.8%	9.4%
Skilled craft	6.9%	8.6%	13.2%	7.3%
Operatives	10.1%	11.2%	11.7%	17.0%
Laborers	6.9%	22.8%	21.8%	27.5%
Service workers	10.1%	20.2%	17.5%	17.4%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from EEO-1 reports in "Occupational Employment in Private Industry," 1997.

Not only are minorities clustered in the lower tier occupations in private industry, for the most part they are also shut out of public employment in Moorhead. Of the 167 nonschool employees, 98.2 percent are white. The city employs just three minorities: two Latinos in administrative support positions and one American Indian in a professional position. See table 2.3.

Labor force participation rates for the three largest racial/ethnic groups are similar.[2] Whites in Clay County participate in the labor force at a rate of 66.6 percent, while the labor force participation rate for Latinos is 62.4 percent, and for American Indians it is 58.2 percent. But minorities suffer

[2] The labor force is the total number of persons over the age of 16 who are employed or actively seeking employment.

much higher rates of unemployment. For whites, the unemployment rate is 4.6 percent, while for Latinos it is 20.9 percent, and for American Indians it is 31.2 percent.[3]

Table 2.3

Public Employment, City of Moorhead, by Race/Ethnicity

	White	Latino	American Indian
Officials & managers	11 (100%)	0 (0%)	0 (0%)
Professionals	33 (97%)	0 (0%)	1 (3%)
Technicians	19 (100%)	0 (0%)	0 (0%)
Administrative support	35 (98%)	2 (2%)	0 (0%)
Skilled craft	24 (100%)	0 (0%)	0 (0%)
Service	42 (100%)	0 (0%)	0 (0%)

SOURCE: City of Moorhead, EEO-4 report, December 1997.

Survey Results

The Advisory Committee surveyed households in Moorhead to discern opinion as to the nature and cause of these disparities. Moorhead residents were asked whether they: (1) strongly agreed, (2) agreed, (3) were undecided, (4) disagreed, (5) strongly disagreed, or (6) did not know to the question: "Employers in Moorhead provide equal opportunity to minorities." There were significant differences between whites and minorities.

Among white respondents having an opinion, 79 percent strongly agreed or agreed that employers in Moorhead provided equal employment opportunity to minorities. Only 29 percent of minority residents, however, agreed that minorities received equal employment opportunity. The results are shown in table 2.4.

In a second set of questions, white Moorhead residents were asked if the cause of certain unfavorable situations encountered by minorities was: (1) due only to a lack of individual motivation, (2) due partly to a lack of individual motivation, (3) due partly to a lack of equal opportunity, (4) due to a denial of equal opportunity, or (5) did not know.

Table 2.4

Survey of Resident Attitudes on Equal Employment and Income

[White percents are set out first; minority percents are beneath in parenthesis]

	Strongly agree	Agree	Disagree	Strongly disagree
Employers in Moorhead provide equal opportunity to minorities	9%	70%	21%	0%
	(6%)	(23%)	(32%)	(39%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

[3] 1990 census update.

There were also striking differences between minorities and whites as to the cause of the disparities in income and employment. When asked why: "Minority households have, on average, lower incomes than white households," 66 percent of the whites responding stated that it was due partly or fully to a lack of individual motivation, while 75 percent of minorities thought it was due to a lack of equal opportunity.

When asked why: "The unemployment rate for minorities in Moorhead is higher than that of whites and a lower percentage of minority adults are in the labor force," 54 percent of white adults stated that it was due partly or fully to a lack of individual motivation, while 80 percent of minorities thought it was due to a lack of equal opportunity by employers. The results are set out in table 2.5.

Table 2.5

Survey of Resident Attitudes on Income and Unemployment

[White percents are set out first; minority percents are beneath in parenthesis]

	Due only to lack of individual motivation	Due partly to lack of individual motivation	Due partly to lack of equal opportunity	Due only to a denial of equal opportunity
1. Minority households in Moorhead have lower incomes than white households	18% (18%)	48% (7%)	34% (32%)	0% (43%)
2. Minorities in Moorhead have a higher level of unemployment	18% (7%)	36% (13%)	42% (37%)	4% (43%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Commentary from Public and Organization Officials

American Crystal Sugar is the largest private employer in the Moorhead area, and David Berg, vice president of administration, told the Committee about the company's commitment to equal employment opportunity.

> American Crystal Sugar beet processing firm is owned by 2,800 grower shareholders. The company employs about 2,300 people who operate five factories here in the Red River Valley from Moorhead, Minnesota, running north to Dramon, North Dakota. We are the nation's largest sugarbeet producer.
>
> American Crystal has worked for many years to promote equal employment opportunity and has in place affirmative action policy. Our objectives are first to make the best possible use of all of our human rights sources while at the same time improving employment opportunities for our employees and also for applicants for employment. American Crystal recognizes that by providing equal employment opportunity we can continuously broaden and deepen our skill base.
>
> It is the policy of American Crystal to provide equal employment opportunity to all qualified persons regardless of their race, color, gender, or national origin. We recruit, hire, train, promote, and compensate all persons in all jobs consistent with this philosophy and without regard to membership in any legally protected class. Individuals are upgraded and promoted on the basis of ability, skill, experience. Women and minority employees who are qualified are actively considered for promotion and advancement.

> Special attention is paid to recruitment sources to ensure the commitment to equal employment opportunity is clearly communicated to potential applicants. American Crystal has begun an aggressive attempt to eliminate harassment of all kinds against company employees on the basis of gender or race, and we have recently completed training on prevention of harassment of all employees in American Crystal.[4]

Ron Baker, manager of the Job Service Program at Moorhead and Detroit Lakes Workforce Center, spoke to the Committee about the center's outreach efforts.

> In rural Minnesota, the Workforce Center is a partnership between job service, rehabilitation and blind services. The Job Service Program, as far as outreach is concerned, participates in several job fairs around the area. Most recently there was a job fair on a Whitter Indian Reservation.
>
> The center is looking at schools and public libraries throughout the county that people will be able to access on a 24-hour-a-day basis to look for work and register for work. We also participate in what is called the Clay County Collaborative along with our partners in the Workforce Center. The goal of the Clay County Collaborative is to identify problems that are affecting service delivery to customers and also to expand the knowledge base of the various participants of job services rendered. . . .
>
> The Workforce Center also runs a migrant program. There is a summer school program for school-age children of migrant workers which is funded by a myriad of agencies . . . one is an agency out of Texas [I can't think of the name]. They offer Head Start programs and some day care through affiliate agencies specifically designed and funded to help migrants.[5]

Commentary from the Minority Community

Pete Padilla told the Committee about distinctions between migrant farm workers, seasonal workers, and settled workers and the nonrecognition of and the prevailing disrespect toward the migrant farm worker by many in the white community.

> [It is assumed] automatically that all migrant farm workers are Hispanic, and all Hispanics are migrant farm workers. There is a distinction between migrant farm workers and seasonal farm workers and then there is a third category, which are people that have settled out. There are people in this community who have been migrant farm workers, but now are going into other career choices and other career fields.
>
> One thing that happens around here is when I take off my coat and tie I am automatically a migrant farm worker and so are my kids. One of my kids was asked at K-Mart one time: "Why aren't you out in the field where you belong?"
>
> The other issue I would like to address is the nonrecognition of the work that the migrant farm worker has done and is still doing in spite of what they say and will continue to do for this state and in particular this area. I have visited several museums in the towns I've been in, and I have yet to see one exhibit that credits the migrant farm worker for any of the contribution to that area. Until that kind of nonrecognition is corrected and until people of any color are really given credit for what we have contributed to this area, this chasm between the groups is going to be there because there cannot be acceptance without a respect for the work that they do.[6]

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[4] David Berg, Transcript, pp. 80–92.

[5] Ron Baker, Transcript, pp. 93–97.

[6] Pete Padilla, Transcript, pp. 147–52.

Hector Martinez, director of Centro Cultural de Fargo/Moorhead, an organization established in 1994 with a focus on human and civil rights, particularly with respect to the Latino community, questioned the efficacy of affirmative action programs for people of color.

> I heard throughout the two days about affirmative action and about how some of these individual organizations and businesses use affirmative action and how that has become an issue. Well, I'm here to tell you that affirmative action has never worked for people of color here in Moorhead or in any other place that I'm aware of.
>
> Affirmative action has benefited white households by opening the doors for white women to meet the needs that were created by affirmative action. We are starting to see affirmative action then apply itself to people of color. But, it's time to do away with affirmative action. It's time to have that rhetoric then put out that affirmative action is not needed.[7]

Comments from minorities surveyed regarding equal employment opportunity included:

- "I've quit a few jobs because I always got stuck with the difficult jobs."
- "An employer responded right away to my job application."
- "My family wants to work but they are denied the opportunity because they do not speak English."
- "Welfare takes away the motivation to work."
- "If employers see a Spanish last name, they are less likely to hire you than if they see a white last name."
- "In the area of wages there has been an improvement."
- "Because I am Hispanic, they don't give me a chance to demonstrate my abilities. For promotions, they are not enthused about giving me the job."
- "I graduated from Northwest Tech and applied for jobs, and they would give it to a white person first."
- "We Hispanics do work a lot of farm labor and other laborer jobs."
- "Mexicans get the dirt jobs as janitors cleaning the toilets. That is how it is with my husband who has a computer degree. His degree is of no use."[8]

EDUCATION

Background Data

In terms of educational attainment, minorities in the Moorhead area have a significantly lower level of achievement than whites. Among white adults in Clay County, 21.6 percent are college graduates and 81.9 percent are high school graduates. Among Latino adults in the Moorhead area, only 2.6 percent have a college degree and more than half—57.6 percent—do not have a high school diploma. Among American Indian adults in Clay County, just 11.7 percent have a college degree and nearly one-fourth, 24.7 percent, do not have a high school diploma.[9]

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[7] Hector Martinez, Transcript, p. 330.

[8] U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

[9] 1990 census.

Disparities between whites and nonminorities are evident in Moorhead public schools. Minorities are 14.9 percent of all students; Latinos and American Indians are the two largest minority populations, comprising 9 percent and 3.1 percent, respectively, of the student population.

Though minority students are less than 15 percent of the total student body, they make up 54 percent of the students in the school system's alternative education program, Moorhead Community Alternative Program (MCAP). MCAP serves students in grades 5–12 who do not perform well in regular classrooms. Reasons can include: emotional and behavioral disorders, discipline problems, academic performance two or more years behind grade level, limited English proficiency, and/or student social problems such as homelessness or pregnancy. Statistics for the 1997–98 academic year show whites are 45.7 percent of all MCAP students; Latinos, 34.3 percent; and American Indians, 19.2 percent. See table 2.6.

Table 2.6

Student Population and MCAP Enrollment in the Moorhead Public Schools, by Race/Ethnicity

	Total percent	MCAP percent
White	85.1%	45.7%
Latino	9.0%	34.3%
American Indian	2.8%	19.2%
Black	0.7%	0%
Asian	2.3%	0.8%

SOURCE: Moorhead School District, 1998.

Table 2.7

Students and Teachers in the Moorhead Public Schools, by Race/Ethnicity

	Student percent	Professional percent
White	85.1%	98.8%
Latino	9.0%	0.8%
American Indian	2.8%	0%
Black	0.7%	0.2%
Asian	2.3%	0.2%

SOURCE: Moorhead School District, 1998.

The racial and ethnic placement rates in the MCAP do not vary significantly between junior high students and high school students. Among junior high students in the junior alternative program, 45 percent of the students are white, 36 percent are Latino, and 24 percent are American Indian. Among high school students in the MCAP, 46 percent are white, 33 percent are Latino, 19 percent are American Indian, and 1 percent are Asian.

The professional staff in Moorhead schools is almost exclusively white. All 16 administrators are white; and all 27 professionals, e.g., guidance counselors, social workers, and librarians, are white. Whites are 380 of the 385 teachers (98.8 percent). There is one Asian secondary teacher, one Latino

elementary teacher, and one African American elementary teacher. Two other Latino teachers are assigned to the MCAP.

Survey Results

The Advisory Committee surveyed households in Moorhead to discern majority opinion as to the nature and cause of these disparities. Moorhead residents were asked whether they: (1) strongly agreed, (2) agreed, (3) were undecided, (4) disagreed, (5) strongly disagreed, or (6) did not know to the question: "Whites and minorities are provided the same opportunities for a quality education for grades K through 12." Ninety-six percent of whites responded that they strongly agreed or agreed that the schools provided equal educational opportunity in grades K–12. Only 4 percent disagreed that minorities received equal educational opportunity. However, 50 percent of minority respondents did not feel that minority students were provided equal educational opportunity. The results are shown in table 2.8.

Table 2.8

Survey of Resident Attitudes on Equal Education

[White percents are set out first; minority percents are beneath in parenthesis]

	Strongly agree	Agree	Disagree	Strongly disagree
Whites and minorities in Moorhead are provided the same opportunity for education in grades K–12	30% (10%)	66% (40%)	4% (27%)	0% (23%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

In a second set of questions, Moorhead residents were asked if the cause of certain unfavorable situations encountered by minorities was: (1) due only to a lack of individual motivation, (2) due partly to a lack of individual motivation, (3) due partly to a lack of equal opportunity, or (4) due to a denial of equal opportunity.

When asked why: "Educational achievement levels for minorities in Moorhead are lower than those of whites," 80 percent of white respondents said it was partly or fully due to a lack of individual motivation, while only 20 percent thought it was due to a lack of equal opportunity. But, 50 percent of minorities thought a denial of equal opportunity was the reason for lower educational achievement by minority students. See table 2.9.

Table 2.9

Survey of Resident Attitudes on Educational Achievement

[White percents are set out first; minority percents are beneath in parenthesis]

	Due only to lack of individual motivation	Due partly to lack of individual motivation	Due partly to lack of equal opportunity	Due only to a denial of equal opportunity
Educational achievement levels for minorities are lower than those of whites	26% (27%)	54% (23%)	15% (40%)	5% (10%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Commentary from Public and Organization Officials

Bruce R. Anderson, superintendent of the Moorhead Public Schools, addressed the Committee about providing equal educational opportunities to minority students. Four other community leaders discussed educational concerns with the Committee: Richard Henderson, chairman of the Moorhead Human Rights Commission; Richard DuBord, professor of social work at Moorhead State University; Yoke-Sim Gunartane, executive director of the Cultural Diversity Project; and Dianna Hatfield, director of the Moorhead Healthy Community Initiative.

Superintendent Bruce Anderson told the Committee about the public school system's goal of ensuring that every child and parent feels valued and that a quality education is provided to all.

> The primary issue is to ensure that every student and every parent does feel valued and treated with respect and dignity. Do all feel that way in Moorhead schools? No, but are we making tremendous strides? And do we think that it is true for the majority of youngsters regardless of ethnicity? I think the answer to that is yes.
>
> Still, when we look at some of the data in our school district, the data indicate problem areas. The dropout rates for the ethnic minority groups in Moorhead are not as favorable as the general population . . . Another issue is the percentage of youngsters of ethnic minority in Moorhead have a higher percentage than do the regular population in alternative school programs; and 18 percent of our population is in special education, which is quite higher than the state average of 12 percent. Student mobility is a factor in that. You will note as we look at mobility, that has been a concern for us in our alternative school this year. As we look at the basic standard results, we had 33 percent mobility in alternative programming and so that does make it difficult.
>
> Also, the level of participation in our after-school programs by the minority population does not represent the general population. Our greatest ethnic minority is the Hispanic population, and one of the things we found very successful was having an ESL teacher picked to coordinate the after-school programs, and we think it is making a difference [in minority participation rates].[10]

Richard Henderson, chairman of the Moorhead Human Rights Commission, said equal educational opportunity was the community's most important concern because it is the one real chance to make a lasting difference in the community. He also said the schools in Moorhead were generally performing well for students.

> My own personal feeling is that education is the biggest human rights problem in Moorhead because we are talking about our next generation. The Human Rights Commission does not have the ability to collect a lot of statistics on this, but my perception is that there really is quite a divide in achievement. I would not say divide in opportunity, but there is a real difference of achievement between white students and students of Hispanic and Native American background in Moorhead. And this is something people have brought concerns to the Human Rights Commission.
>
> Issues of concern that have been specifically raised are children of Hispanic background being kind of diverted into alternative programs and children of Hispanic background being automatically diverted into the English as a second language program, even though some of these children have been born and raised in the United States by parents who have lived all or most of their lives in the United States. So, English really is not their second language. It's their first language.
>
> There's also a perception that Hispanic students are less likely to graduate, less likely to be involved in extra—fully involved in extracurricular activities, and less likely to achieve higher grades and things of that nature. And I guess your question was what do I see is my biggest

[10] Bruce Anderson, Transcript, pp. 45–47.

> concern, and that's my biggest concern because I really think that, you know, when children are young, it's our best opportunity to try to address differences along racial or gender or disability lines. And if we fail to do that when they're young, if we fail to do that by the time they graduate high school, I think we may have lost our best and maybe our only opportunity to really effect lasting change in the community.[11]

Richard DuBord, professor of social work at Moorhead State University, testified that public schools need to specifically address the needs of students of color.

> Public school education is Moorhead's biggest business . . . The Moorhead public schools are wonderful schools, if you are bright, a good student, or a very good athlete. If you are not one of those, it is a lot more difficult and a lot less welcoming and probably overwhelming because of its size. What I think the public schools need to do is this: they need to help people of color.
>
> Indian families from a small reservation in rural Minnesota or North Dakota are going to have trouble with the size of Moorhead High. Hispanic students often have gone to many different schools, and others left school early in the spring to be migrants and got home to Texas late in the fall because the crops weren't done. How will such a student thrive at Moorhead High without extra help?[12]

Yoke-Sim Gunartane, executive director of the Cultural Diversity Project, also addressed educational opportunities for minorities. The Cultural Diversity Project was established in 1994 because of the growing ethnic diversity in the Fargo-Moorhead area. Its goal is to address both the challenges and opportunities for diversity in the Fargo-Moorhead area.

> I feel the Moorhead School District provides quality education, and this can be seen from its graduation record. However, in terms of minority pass rates they're extremely low passes. I understand only 30 percent graduate among some of the minority students who happen to be placed in the MCAP program, the Moorhead alternative education program. That needs to be improved. I am also aware that the dropout rate among some minority students, particularly Native Americans, is high, almost 50 percent.[13]

Dianna Hatfield, director of Moorhead Healthy Community Initiative, addressed issues affecting children. Moorhead citizens created the Moorhead Healthy Community Initiative in 1994 to promote the positive development of youth. The mission of the organization is to mobilize the community to provide developmental assets to every child and teenager in Moorhead.

> Two of our major projects are an after-school activity program and promoting the need for mentors. You've heard about the after-school program today from the school officials. What they were referring to was the Moorhead Healthy Community Initiative programs which are provided in the school system. We have this year 19 sites throughout the community where activities are provided free to every youth between the ages of 9 and 13.
>
> I think there are many members of the dominant culture who actively work to reduce racism and empower communities of color, and I think that's a good thing. I think there are many good people out there who want to do the right thing, but they don't know what it is and then they become uncomfortable and then maybe white guilt sets in and then there's an inertia. There are also some people who are blatantly racist and spout their ugliness in newspapers and in fliers and at meetings.
>
> I want to share this with the Commission: Two young girls went into a store on the north side. It is a convenience store and Laundromat. The north side tends to be where more of our low-

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[11] Richard Henderson, Transcript, pp. 215–25.

[12] Richard DuBord, Transcript, pp. 43–60.

[13] Yoke-Sim Gunartane, Transcript, pp. 105–10.

income families live, and one youth was white and one was African American. The owner of that store said to the white girl when they walked in, "Get her out of here. I don't want no n-i-g-g-e-r-s in my store."

I do not know how we combat this intolerance. I think that systems are governed by members of the dominant culture, and I see that to the extent that there are no persons of color in any elected office. And I think there are very strong negative stereotypical beliefs for Mexican Americans, stereotypical beliefs about Mexican Americans, American Indians, and new immigrants in particular.

I also would hope that this school district does indeed attract and hire teachers and other professionals so that the number of staff members of color is proportionate to the number of students of color. My calculation is that minorities are 15 percent of the student population, but there are only three faculty members of color. I think that means that it is incumbent upon the district to hire many more persons of color in teaching and administrative positions.[14]

Commentary from the Minority Community

Members from the minority community speaking to the Committee were displeased with the performance of the school system. Sonia Hohnadel is a parent of children attending the public schools and has served on the Moorhead Human Rights Commission. She told the Committee:

The Human Rights Commission . . . most of the time looked at things the schools had done. The schools are now having all this money for multicultural books in the library and when [the commission] studied the curriculum, textbooks [were changed] to make them more inclusive in the curriculum. But, when it comes down to the issues of kids, their feelings of feeling welcomed in the school, their feelings of being considered, looked at, and treated different, those issues never are addressed or allowed to come up.

As far as the school personnel, the [minority] kids really, really need the role models. They frequently state that they would like to have teachers of color within the school district. Yes, there are paraprofessionals who work in title programs or in ESL programs. The majority of other students who are in the mainstream classes don't have the exposure.[15]

A former student, 18-year-old Juanita Yzaguirre, shared a letter written by her and signed by 150 minority students at the senior high school about their feelings and experiences attending Moorhead public schools.

To whom it may concern: Words, remarks that can cut like a knife and visible stares that can stay with a person. The rest of this, every person is to be created equal. Well, if only that were true. Then maybe our world or our school would be a better place today. Hopefully, one day soon that dream will come out. Hello, we're writing you in regard to the many problems the school has been having due in part to racial tension that has been rising in the past weeks. First and foremost we believe for you to have ideas on where we're coming from, we should tell you who we are. We are a group of people that feel something needs to be done about the problems and situations that are occurring in our school. We are a group of Mexican American teenagers who feel our voices need to be heard. Though we do not make up a huge population of the school, we feel that it should not make a difference to the value of our words. We feel that the school environment should be a good, comfortable, enriching experience. Lately it has been the exact opposite. So, we are afraid to come to school due to harassment, unnecessary remarks, and tense situations. Sometimes we feel we have the short end of the stick or so to say. It's hard enough to go into society and face some of the stereotypical thinking or ignorance, but to come to school and encounter the same thinking by not only some students, but teachers and administrators, it's just not right. We should not be afraid to come to school or

[14] Dianna Hatfield, Transcript, pp. 111–15.

[15] Sonia Hohnadel, Transcript, pp. 153–64.

> walk down the halls by ourselves. School is supposed to be an equal opportunity place of learning. So, should we not have the same opportunity to learn as any other student does? We would like you to know that we do not picture ourselves as totally innocent of any wrongdoing, but we do take full responsibility for our actions that have contributed to the problems, though we feel we are not the only ones to blame. We will say that we are guilty of one thing. If wanting to feel safe at school is a crime, I guess you could say that we're all guilty. As for now, we are telling you that we want these problems to stop probably more than the school does, and we will help in any way possible to make that happen.[16]

Josie Gonzalez has lived in Moorhead for the past 18 years, moving to the area in 1980 as a migrant farm worker. She testified on behalf of the Minnesota Church Anti-Racist Initiative. Part of her commentary dealt with her fears about sending her children to the Moorhead public schools.

> I have four children and I have a 4-year-old son who will soon be starting school and I dread him going into the Moorhead school district. My daughter has been out of school for two years. She graduated last year, but I did not realize that when I moved to this community, when she came home from school I would have to teach her a lot of things, but one of them was to teach her what a "spic" was. That is something white people don't have to do. . . . How many kids are graduating? This system hasn't gotten the worse of me as an individual and as a parent.[17]

Comments from minorities surveyed regarding equal educational opportunity included:

- "My father was illiterate and he tried to get an education through adult basic education. And when he was trying to pronounce some words, a teacher said to him, 'Are you stupid or what?' "
- "My nephew is not treated well in school because he is Hispanic and he does not speak English well."
- "Schools may provide equal opportunity, but they do not treat you the same. Schools look at you as less. As soon as they see you are Hispanic they think you need ESL [English as a second language]. I have heard bad comments about Hispanics from teachers."
- "They don't care about minorities in education."
- "I feel there is discrimination against the Hispanics in the schools."
- "Education programs like the MCAP make the students feel stupid."
- "My son was in a fight with a white kid who was bigger and older [and] does not want to continue in school because of the bullies."
- "One summer after working in the beet fields, my son bought new clothes with the money he had saved. The first day back at school a teacher said, 'Where did you steal those clothes? Mexicans can't afford them on welfare.' "[18]

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[16] Juanita Yzaguirre, Transcript, pp. 161–62.

[17] Josie Gonzalez, Transcript, pp. 335–44.

[18] U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Background Data

In Clay County and the city of Moorhead, minorities are arrested in numbers significantly disproportionate to their representation in the community. This is true for both juvenile arrestees and adult arrestees. In Clay County, in 1998 there were 233 juvenile intakes at the West Central Regional Detention Center.

Though whites are more than 97 percent of the Clay County population, white youths were less than half of those arrested and processed, 111 (47.6 percent); while 55 Latino youths (23.6 percent) and 58 American Indian juveniles (24.9 percent) were arrested and processed.

Similarly in the city of Moorhead, though whites are 95 percent of the city's population, only 46 percent of the adult arrestees in the city of Moorhead were white, while 38 percent were Latino, and 16 percent were American Indian. See table 2.10.

Table 2.10

Arrests by Race/Ethnicity, 1998, Adults, City of Moorhead & Juveniles, Clay County

	City of Moorhead adult arrests	Clay County juvenile arrests
Whites	46%	47.6%
Latinos	38%	23.6%
American Indians	16%	24.9%

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, from City of Moorhead Police Department.

The Moorhead Police Department, through Minnesota's Weed and Seed program, operates a Crime Free Multi-Housing Program. As part of the program, all prospective tenants applying for rental property are screened concerning their rental and criminal history. The police department keeps statistics on all calls for service. Applicants for rental property are checked for prior incidents involving the police, including: arrests, gang affiliation, gun purchase/owner, juvenile runaways, sex offenders, dangerous offenders, and domestic disturbances. If an applicant has three police incidents, he or she can be denied the rental property.[19]

Survey Results

Moorhead residents were asked whether they: (1) strongly agreed, (2) agreed, (3) were undecided, (4) disagreed, (5) strongly disagreed, or (6) did not know to the question: "Police in Moorhead treat complaints by minorities in a manner equal to the treatment given complaints by whites."

Of white respondents, 80 percent strongly agreed or agreed that the police provided equal service regarding complaints to whites and minorities. Only 20 percent disagreed that minorities received equal police service regarding complaints. In sharp contrast, 73 percent of minorities with an opinion did not think that the police provided equal service to minorities.

[19] Moorhead Police Department, Minnesota's Weed and Seed Initiative, *Quarterly Narrative Report for State and Federal Funds*, April 1999.

Table 2.11

Survey of Resident Attitudes on Policing

[White percents are set out first; minority percents are beneath in parenthesis]

	Strongly agree	Agree	Disagree	Strongly disagree
1. Police treat complaints by minorities in manner equal to whites	13% (12%)	67% (15%)	17% (27%)	3% (46%)
2. Police give equal respect to whites and minorities	11% (0%)	67% (13%)	17% (35%)	1% (52%)
3. Minorities are more likely to engage in criminal activity	10% (27%)	38% (21%)	40% (24%)	12% (28%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Differences between the races were exhibited in a second question. Moorhead residents were asked whether they agreed or disagreed to the question: "Police in Moorhead give equal respect to minorities." The results were similar to those regarding complaints. Among white respondents, 78 percent strongly agreed or agreed that the police provided equal respect to whites and minorities. But among minorities, 87 percent felt that the police did not provide the same level of respect to minorities as they did to nonminorities.

In a question where residents were asked whether they agreed or disagreed that: "Minorities in Moorhead are more likely to engage in criminal behavior," 48 percent of both white and minority respondents agreed that minorities in Moorhead are more likely to engage in criminal behavior. The results are set out in table 2.11.

When residents of Moorhead were asked why: "A disproportionate number of those arrested by the Moorhead Police Department are minorities," 93 percent of whites said it was due to an individual's criminal behavior, while 57 percent of minorities attributed the disproportionate arrest rates to unequal policing. See table 2.12.

Table 2.12

Survey of Resident Attitudes on Disproportionate Arrests

[White percents are set out first; minority percents are beneath in parenthesis]

	Due only to individual criminal behavior	Due partly to individual criminal behavior	Due partly to unequal policing	Due only to unequal policing
The disproportionate number of minorities arrested is:	35% (15%)	58% (28%)	5% (15%)	2% (42%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Commentary from Public and Organization Officials

Three officials from the Moorhead Police Department spoke to the Committee: Grant H. Weyland, chief of police; Wayne Arnold, deputy chief; and Nancy Taralson, community policing coordinator. In addition to the presentation by the police department, the Committee heard testimony from Joel Parise, an attorney with the public defender's office in Moorhead.

Grant H. Weyland, chief of police, addressed the department's commitment to equal service.

> The Moorhead Police Department is committed to the fair and equitable treatment and delivery of police service to all citizens in our community. Our mission statement is to maintain peace and order through the provision of police services that are of the highest quality and responsive to the needs of the members of our community. We will contribute to the safety and security of the community by apprehending those who commit criminal acts; by developing partnerships to prevent, reduce, and eliminate neighborhood problems; and by providing police services that are fair, unbiased, judicious, and respectful of the dignity of all individuals. We strive to resolve conflict through impartial enforcement of law.
>
> The Moorhead Police Department has been involved in and made significant strides in our move to community-oriented policing over the past several years. Community policing is about building partnerships, partnerships with all members of our community.[20]

Wayne Arnold, deputy chief, talked about complaint procedures and police misconduct investigations.

> Our resolution of misconduct complaint allegations policy: Complaints of employee misconduct will be documented and reviewed by the Moorhead Police Department. And all our employees and supervisors understand that any correspondents or phone calls or any kind of complaints we receive from anybody is to be documented and we look at it. This would even include an issue that might be a procedural or legal issue that is explained to the person and it's resolved on that level.
>
> As part of this whole issue, we also in our policies—throughout all our policies—we deal with treating people fairly and equitably, but in particular we have one policy on conduct unbecoming an officer in principal. The policy states, "Peace officers shall perform their duties and apply the law primarily and without prejudice or discrimination." We take all that very seriously and we convey that through our value statement and through our policy to our officers.[21]

Nancy Taralson, community policing coordinator, addressed the department's Weed and Seed and Crime Free Multi-Housing programs.

> The Weed and Seed program is a federal and state program which occurs in one of our low-income neighborhoods, the Greenwood mobile home park neighborhood. That neighborhood was chosen because it had a higher than average crime rate. It had neighborhood deterioration, and it had other significant problems. It has been a one-year intense focus in that neighborhood where we are focusing on four different things to make a community: policing, law enforcement, neighborhood restoration, and intervention/prevention. As part of that program we have been working with the residents in that community to try and make a better neighborhood for them to live. And we have done such things as create a neighborhood club with about 12 very active members in it.
>
> We have lowered the crime rate in that community 65 percent since we started working there. That would be all calls for service, not just crime calls for service. We are creating a park in the neighborhood where there was no park, and we have a very successful after-school program going on there which has an average of 15 to 20 kids that participate in it and that happens three times a week. We also have mentoring going on in that neighborhood once a week.

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[20] Grant H. Weyland, Transcript, pp. 194–95.

[21] Wayne Arnold, Transcript, pp. 196–98.

> The other thing to mention is the Crime Free Multi-Housing Program. It is a volunteer program where we're trying to establish a partnership with landlords in our community. That program consists of three different parts. The first part is an eight-hour training session where they come to the police department and learn about preventing crime in their building. The second part is that somebody from the police department will actually go out to their buildings and look for seven different safety features on the building to make sure they're safe places for the tenants to live. And the third part of that program is offering a crime watch meeting to the people that live in their building. And once they do all three of those things, they're fully certified in the program.
>
> The part that you may hear about sometime today is the part of the Crime Free Multi-Housing Program in which we ask landlords to do criminal background checks on all the prospective tenants. I provide those criminal background checks to the landlord free of charge after they've taken the program. They learn in the Crime Free Multi-Housing Program how to read those background checks. And in addition to that, if I have a new landlord that comes on board and wants to do criminal background checks before he's given his first background check, we sit down and I describe to him how to read those background checks. Last year I performed over 3,400 background checks for landlords in our community. We really feel that that has helped a lot of different buildings in our community remain crime free.[22]

Joe Parise, an attorney with the public defender's office in Moorhead, gave the Committee examples of community bias in the legal system.

> There are some very genuine efforts going on in this community to try to deal with these issues, and I'm not going to repeat all the things that are being done by groups like the Cultural Diversity [Project] resources and the Moorhead Community Healthy Initiative. Unfortunately, I'm afraid that there are some folks in this community who have a very intolerant attitude towards persons of color. I represented a young man who is from Mexico City and was up here attending North Dakota State University in years past.
>
> He had come up as a foreign exchange student in high school and stayed with a family in Fargo and wanted to continue his education up here. He had no prior criminal record except for a previous DWI. He wasn't a recipient of public assistance. Nevertheless, I felt that it was important to try to find out how our jury panel felt about issues relating to race, and in questioning people I ran into lot of people who just don't want to talk about it and if they don't, it's hard to read their mind.
>
> But in this case, I talked to one individual who volunteered in what I'd have to characterize as a stunningly matter of fact manner that she could not be fair in her opinion of my client because in her previous occupation as a social worker in a different county in eastern, northeastern Minnesota she had worked with Native American clients and didn't have positive experiences. Now, how that translated to difficulty being fair to a Mexican citizen who is attending school in our country, I was just flabbergasted. And then to turn and look at my client and to see what kind of reaction, you know, he gets from something like that.
>
> In the same trial, another panel member indicated that he could not be fair to my client. This was a Moorhead resident who, in explaining why he would have difficulty, said that a lot of the calls that he goes on involve domestics and assault-type instances that frequently involve Hispanic people. . . .
>
> I think statistics will tell you who is going into the prisons in Minnesota, a disproportionate number of people of color. Some of this is socioeconomic . . . If you get charged with an offense and you do not have sufficient monies to make bail, you oftentimes end up in custody while your trial is going on, which makes it more difficult to defend your case.[23]

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[22] Nancy Taralson, Transcript, pp. 198–214.

[23] Joe Parise, Transcript, pp. 229–40.

Commentary from the Minority Community

Individuals from the minority community who spoke to the Committee took exception to public officials' assertions that minorities received equal treatment and protection from the police. Hector Martinez addressed his perception of the block club and Weed and Seed programs in Moorhead, expressing the sentiment that such programs are not improving the lives of people of color as claimed by city officials.

> [The Committee has] heard of neighborhood block clubs, but these block clubs are not necessarily inside the community of color, but outside surroundings. Moreover, I think this is a dichotomy in that you would have a neighborhood block club in a community of color for individuals to basically turn in their neighbors when we're already oppressed by the legal system and by law enforcement. So I would just substantiate that there are no neighborhood block clubs in communities of color for that reason.
>
> The Weed and Seed program was intended for beautification of neighborhoods and for the building of self-esteem of individuals that reside in those neighborhoods. What actually has occurred is that it has turned into a utilizing of monies to weed out individuals with criminal records or individuals who have a propensity to commit crimes—whether those crimes can be found to be proven to have happened or not. So that the Weed and Seed program basically turns out to be a tool for ethnic cleansing in these neighborhoods.
>
> We have seen a drop in the crime rates in the Romkey Park area and in the Greenwood mobile home park, but we have also seen a dramatic decline in the people of color who reside in these communities. And where are they going? Are they being disbursed around the rest of Fargo-Moorhead? I don't think so. But, it becomes a tool that is connected with other enforcement agencies like the code enforcement and like the low-income housing, public housing where they have this interconnection and systemically provide information to each other. This in itself is a weeding process of people of color from these neighborhoods and these communities.[24]

Josie Gonzalez said the general atmosphere in the Moorhead community is an unwelcoming one for people of color and that the actions of the police add to this perception that people of color are not wanted in Moorhead.

> There is definitely an unwelcoming atmosphere when [people of color] come to Moorhead. I am a community leader so I get phone calls from others in the community telling me: "I was just raided." "The police just stopped me." "The police called me a 'spic.' " I had a case last summer where a child was in a day care situation and the caretaker was white, but what ended up happening was by the time the mother came home from working, the police were there waiting for her. The child had a birthspot which is red, which is something that happens with a lot of children of color. She had a red birthmark on her back, and they took the child away from the parent. The parent ended up getting hysterical trying to hold the child, and the woman ended up being pushed. The police got involved and it ended up almost in an altercation and we had to get the state department to come and intervene. It is those kind of things.[25]

Vicente Amoles told the Committee that drug enforcement agents came to his home recently and displayed an excessive use of force with no cause.

> I'm a full-time welder, and I'm an ex-felon. But I paid my time and I paid my dues and now I am done paying. Now, I dedicate my time to my wife, my daughter, and to the community and to my church. Seven days ago or a week ago Tuesday or Wednesday, as I came home from work, my wife, my brother, and sister-in-law and the kids were outside doing the lawn, and when I turned around the other way, I saw a whole bunch of DEA, sheriff department with their guns out and ready to knock the door down.

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[24] Hector Martinez, Transcript, pp. 315–24.

[25] Josie Gonzalez, Transcript, p. 341.

> They said they had evidence against me that we were dealing cocaine and I was dealing cocaine out of my house. I say, "No more. I don't do drugs. I don't smoke and I even hardly drink because that's not my style of life because I don't want to teach my daughter that. I work 10 hours and then come home. I serve my community and fix cars and check my own vehicles. I get off work just to go look for a lawyer. I'm done." You know, and this happened, I would say a week ago now. And now my wife every night she goes, "Did you lock the truck? Well, you better go lock it. I don't want nobody to plant something in our vehicles."
>
> Now I have to live with that every night. She never used to tell me that. Now my daughter comes, meanwhile my wife plays with my daughter, she goes, "Daddy, I'm going to call the police in awhile." She never used to say that. Now she says that. I don't think it's fair to her or to my wife. I did the crime; I've paid for it. They haven't. Now they have to pay for it as everybody was outside, kids, they saw guns. I didn't think it was necessary because nobody was doing nothing.[26]

James Carpenter, an African American who came to the city of Moorhead to go to school and play football, related his experience with the criminal justice system.

> I have lived in the community now for approximately 12 years. I am here to say after being here for 12 years that racism and prejudice does exist at very high levels of government and within the city of Moorhead.
>
> I would like to tell about [when] I . . . came to this city. [I am] African American and came to the city of Moorhead to go to school and to play football at the age of 18. And when I first came here I did not want to believe that there was racism that existed in the city of Moorhead because it was not obvious to me.
>
> In the summer of 1989, after being here for a couple of years, I was arrested and charged with two counts of burglary. Having a clean record up until that point in time, I went to trial in front of a jury of my peers, twelve 65-year-old Norwegian farmers and was found guilty of these two counts of burglary. Although I was offered this plea bargain and all sorts of pleas to this, I went to trial because I believed in my innocence. Four years later I was trying to get my life together and trying to get back into school and trying to play football.
>
> In the summer of 1993, I was arrested and charged for sitting in class and charged with trespassing at Moorhead State University, this while waiting for my financial aid to be processed. And I guess it's very easy to say that if every student was arrested for the same circumstances for which he was arrested for, a third of the student body would be sitting inside of the Clay County jail. It's unheard of, so I sued the city.
>
> In the end, I was sent to prison for 11 months and charged with the very issue for which I had filed those civil suits against the city of Moorhead. And this type of racism and retaliation is appalling.[27]

Pamela Renville is a member of the Sioux Tribe and lived in Moorhead for three years. While living in the city in the late 1990s, her children attended fifth, sixth, and seventh grades in the public schools.

> When she was attending Moorhead Junior High here, her seventh year she got into a fight and my daughter was suspended and [what the police] filed on her was two counts of simple assault and two disorderly conduct charges. She got to go to court in August and was put on six months good behavior. And we had at the time moved back to South Dakota because what they did, the police, the school, what they did to my daughter. At the time I felt it was unfair, unfair to me as a parent without telling me that they were going to throw my daughter in jail

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[26] Vicente Amoles, Transcript, pp. 184–88.

[27] James Carpenter, Transcript, pp. 364–68.

and unfair to my daughter being placed, 12 years old, in jail, handcuffed out of school, humiliated, and thrown in jail overnight and without even letting me take her out. And that's the reason why I am here.[28]

Comments from minorities surveyed regarding equal policing and public safety included:

- "A neighbor complained about us and the police came right away. When we complained to the police about a neighbor, they never came."
- "I was pulled over by the police and asked for my license. When I said I did not have one, he asked if I had come from Mexico or Texas."
- "My oldest brother has a real good job and a clean record. A policeman pulled my brother over for having tinted windows on his car. The cop was rude and gave him a ticket instead of a warning. When I was stopped for missing a stop sign the cop was rude to me and searched my car."
- "Sometimes the police arrest you for nothing."
- "There was one time the police came out of the blue to my house and accused my son of stealing something and it wasn't my son."
- "Police do not treat minorities equally due to racial tracking and harassment of minorities."
- "Police suspect people of color."
- "Hispanics are targeted by the police. Indians are only safe on reservations."
- "In reality there are no gangs here, but the police see Mexican kids as criminals and hunt them down."[29]

HOUSING AND PUBLIC ACCOMMODATION

Background Data

Equal public accommodation and access to all neighborhoods derive from the openness of the majority community to accept members of the minority community without qualifications. John Hulden, pastor of Trinity Lutheran Church and representing the Moorhead Ministerial of Clergy and Lay Professionals, talked about a climate of silence and fear that permeates the white community and stifles integration and equal accommodation.

> There is a silence in this community [about issues of race]. And if we peel back that silence, we often hit a nerve. There is no doubt about that. I just had moved here and was talking with some of the parents, not as a pastor, but as another parent about upcoming summer activities for our children. One place to go in the summer, a great place to go, is the Romkey Park community pool. One mother said very clearly to me, "I would never take my children there, it is just too dangerous." This mother was not talking about unprepared lifeguards; it was a fear of the neighborhood and a fear of Latinos and Native Americans.
>
> Two Sundays ago this spring at our church we had an adult forum that we entitled "What comes to mind when you hear Romkey Park?" The number one answer among the white folks was fear. There are a number of congregations in Moorhead, and within each congregation

[28] Pamela Renville, Transcript, pp. 173–77.

[29] U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

there are wonderful people who are deeply concerned about race relations. But, we have to admit that there is not a lot happening communitywide in the religious community.[30]

Homeownership rates in the Moorhead community are in sharp contrast along racial and ethnic lines. Many factors contribute to homeownership, including household income, access to lending (equal opportunity in lending), housing availability, and housing preference (rent or buy). Still, in Clay County, the homeownership rate among white households is 72.8 percent while the homeownership for minority households (African Americans, Latinos, Asian Americans, and American Indians) is just 40.1 percent.[31] See table 2.13.

Table 2.13

Homeownership Rates for White and Minority Households, Clay County

	Homeownership rate
Whites	72.8%
Minorities*	40.1%

* Minorities include African Americans, Latinos, Asian Americans, and American Indians.

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office.

Survey Results

Residents were asked whether they: (1) strongly agreed, (2) agreed, (3) disagreed, or (4) strongly disagreed to the question: "Minorities should not push themselves where they are not wanted." Both whites and minorities were in agreement, with 69 percent of white residents and 67 percent of minority residents disagreeing with this statement.

There was disagreement between the two groups, however, on whether whites supported equal opportunity. To the statement: "Whites in Moorhead support full integration and equal opportunity for minorities," 62 percent of the white respondents strongly agreed or agreed that the white community did support full integration and equal opportunity for minorities. Among minorities, 68 percent disagreed that the white community in Moorhead supported equal opportunity for minorities.

There was also sharp disagreement between the two groups regarding business accommodation and equal housing. Regarding businesses accommodating minorities equally, white Moorhead residents overwhelmingly agreed, by a 88 to 12 percent margin, with the statement that: "Businesses in Moorhead provide equal service to minority customers." In contrast, only 12 percent of minorities thought local businesses provided equal accommodation to minorities.

Divisions in perception in equal housing are also observed as 73 percent of white respondents strongly agreed or agreed that minorities have equal access to housing and mortgage loans. Only 22 percent of minorities, however, believed that minorities in Moorhead have the same access to housing and mortgage loans as whites. The results are set out in table 2.14.

[30] John Hulden, Transcript, pp. 242–44.

[31] 1990 census.

Table 2.14

Survey of Resident Attitudes on Public Accommodation

[White percents are set out first; minority percents are beneath in parenthesis]

	Strongly agree	Agree	Disagree	Strongly disagree
1. Minorities should not push themselves where they are not wanted	7% (16%)	24% (16%)	37% (42%)	32% (25%)
2. Whites in Moorhead support full integration and equal opportunity for minorities	4% (5%)	58% (27%)	36% (33%)	2% (35%)
3. Businesses in Moorhead provide equal service to minority customers	14% (0%)	74% (12%)	12% (60%)	0% (28%)
4. Minorities have the same access to housing and mortgage loans as whites	18% (9%)	55% (13%)	24% (34%)	3% (44%)

SOURCE: U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

Commentary from Public and Organization Officials

Officials from Norwest Bank Minnesota West and the State Bank of Fargo discussed equal opportunity lending with the Committee. Jeff Kemink, president of Norwest Bank Minnesota West, testified about the bank's equal opportunity lending practices and its efforts to promote access to banking services for minority communities.

> The Moorhead bank has holdings of $235 million of which loans or lending is $105.6 million, deposits of $201.6 million. We have been in the Moorhead community 106 years, established in 1881. The bank is a participant in the region's diversity council, which is an employee-driven organization dealing with external and internal diversity issues. And we have been offering tuition reimbursement in the last five years to our employees, particularly in Spanish courses, in order to allow them the opportunity to converse with what we feel is one of the larger minority groups within our market.
>
> With regard to product delivery, we were the leader and the first to the market in the Midwest with free checking, which addresses a low- and moderate-income need on the deposit side of delivery of our products and services . . . We have found through our participation with various groups and through our study on the Community Reinvestment Act a need at times to market our services and products through nontraditional channels.
>
> Regarding lending, we are participating currently with the Legal Services Northwest Minnesota and in a Realtor forum on fair housing and have also been a participant with the Village Family Service Center in a credit where credit is due program whereby we wave origination fees for individuals who have been through this credit skills course encouraging them to enhance their credit skills prior to applying for credit.
>
> Home Mortgage Disclosure Act (HMDA) data is the only credit data that we have that deals with race and gender statistics. HMDA loan data includes home purchase loans, and home improvement and refinance loans secured by residents, unsecured loans. About 1.7 percent of our HMDA applications have been to minorities, which is under what the minority population of the Moorhead community is, and we continue to direct and focus our marketing initiatives at that. Along the lines of the approval rates on minorities, HMDA originated loans compared to the general total. Over the past three years, the percentage of minority HMDA applications

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originated have been averaging 77 percent as opposed to the total HMDA applications originated approval rate at 80 percent. So, there is only a 3 percent disparity there.[32]

Ron Jordan, senior vice president, State Bank of Fargo, testified about the bank's mortgage lending to minorities and its outreach programs to the minority community.

> The State Bank of Fargo is a local bank that originated out of Fargo. We have four offices in Fargo and recently chartered State Bank of Moorhead. We are very much interested in furnishing banking and lending services overall to the Moorhead community.
>
> We are one of the major lenders in the metropolitan area, with approximately 16 to 17 percent of the market share in the market of Fargo-Moorhead. In the market of Moorhead we are 9 percent market share of Clay County.
>
> There are approximately 1,525 financed homes in Moorhead. So, there's a large market in Moorhead, and the main thing we want to do is try to find ways for people to get into housing and establish them in as a permanent resident of the Moorhead market. We believe in trying to find ways to allow individual homeownership. One such program is the Echo Program, which is a down payment assistance whereby individuals can obtain up to $3,000 of down payment assistance money to get into a home. Along with that we have also signed up for Moorhead Casa Program which is a program founded to fund housing in Moorhead, again through the city. We also have signed up with Minnesota First Time Buyer's Program which is very crucial to get the first-time buyer into the house and get that step up progression for moving up housing in the Moorhead market.
>
> As far as HMDA data, we are always concerned about looking at that information and making sure that falls within the guidelines. And, as a whole, most of our programs we're looking at the application versus the decline/cancel ratio, make sure that's always within line and we found that looking through the HMDA report that that's in line. And that's within the 15 to 20 percent of the norm of all type of applicants. So, those are the things, factors, that we look at.[33]

Michelle Hansen from Legal Services argued that the city's multi-housing landlord screening service discriminates against minorities.

> I am part of the [established Moorhead] community. I am a white, female, young professional who was raised here. My experience practicing law in the housing arena here is that the most insidious housing discrimination is a systemic problem with programs that are facially neutral and have commendable goals.
>
> Housing discrimination is a systemic problem, and there is no way to understand it without looking at all of the complaints and starting with the belief by minority people that criminal laws are more selectively enforced against them, such as the issue of pretext stops discussed here today.
>
> This committee has heard about criminal background checks and convictions for felonies in [housing leasing]. But that is not what we are dealing with in the city of Moorhead when we are dealing with criminal background checks. The records that are released are about every time your name has been mentioned to the police department whether or not you ever knew about it. Whether or not it's ever been investigated, charged, or arrested. It does not matter. Every time your name has been mentioned, your potential landlord finds out about it. And it really isn't any due process for you to come in and clear your good name.
>
> So if we have minority people being subjected to more selective enforcement of the laws or pretext stops, then presumably their records are going to be longer and it is going to be harder for

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[32] Jeff Kemink, Transcript, pp. 63–69.

[33] Ron Jordan, Transcript, pp. 70–79.

> them to find housing in the community. It is significant to note that these programs apply only to renters. Renters disproportionately are very low-income and low-income families and minority members are disproportionately represented in very low-income groups. So, if renters are very low income, and very low income are disproportionately minorities, it does not take too great a leap to see that there might be a disparate impact on minority members of our community.[34]

Duke Schempp, director of People Escaping Poverty Project (PEPP), a nonprofit organization providing leadership development and community organizing for people with low incomes, discussed the group's monitoring of Moorhead's Community Development Block Grant (CDBG) activities since 1995. Schempp testified that the CDBG funds are almost exclusively given to white families.

> PEPP has been very concerned over the years because of the lack of public accountability for these funds. These funds are supposed to serve the entire community. What [PEPP] has found is that . . . although the CDBG funds go to a variety of activities, the majority of it actually goes to single-family owner-occupied rehab projects, which means that those who own their home can get 0 percent loans for fixing up their homes.
>
> In 1996, there were 22 loans made. They were all made to white non-Hispanic households, and there was $370,000 allocated for that program that year. In 1997, there was $328,000 allocated for the program; 23 loans made, with 22 to white non-Hispanic families and only one loan to a Hispanic family during that year. In 1998, $396,000, under 21 loans, were allocated in community block funds, and all funds and loans were issued to white non-Hispanic families. That means community block development funds go for the most part to benefit white households.[35]

A Committee member asked Moorhead's mayor, Morris Lanning, during the fact-finding meeting if people of color are represented on the various city advisory committees. Mayor Lanning responded that "no [minority person] has indicated in any way that [he or she] has a background that would qualify [him or her] . . .[36]

Richard DuBord, a professor at Moorhead State University, told the Committee Moorhead was not a generous community to people of color or the poor.

> Regarding community services, . . . my fellow citizens are not a generous people with people who are browner or poorer than they are. There's almost a phobia for browner and poorer. Over the years, I've been to virtually every public meeting that was about a group home for the developmentally disabled, women alcoholics, mentally ill, the homeless. And the citizens of our community frequently loudly stand up and fight and oppose the location of group homes in their neighborhood for the developmentally disabled, for women alcoholics, for the mentally ill, for homeless, time and time again. And the scattered-site program that the mayor mentioned, every scattered-site location was opposed by neighborhood people loudly and consistently.[37]

Commentary from the Minority Community

Hector Martinez said Latinos have felt like outsiders in Moorhead for more than 75 to 80 years. So according to Martinez these issues of public acceptance, diversity, and public accommodation are not new issues for Moorhead residents.

> Latinos have felt as outsiders here in Moorhead for over 75 to 80 years. So the issue of diversity is not a new issue for Moorhead. It's a relatively old one.

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[34] Michelle Hansen, Transcript, pp. 263–80.

[35] Duke Schempp, Transcript, pp. 257–59.

[36] Morris Lanning, Transcript, p. 21.

[37] Richard DuBord, Transcript, pp. 43–60.

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> Yesterday the mayor talked about all the good things that are occurring here in Moorhead. He talked about the establishment of a Human Rights Commission—a Human Rights Commission that has no authority and no vision and certainly no accountability as far as where do they go with the information.
>
> The city of Moorhead has also established the Cultural Diversity Project and the Moorhead Healthy Community Initiative. Those two organizations in their own right are good and well intentioned, but they are also part and the brainchild of the city of Moorhead and the upper level administration, with no input from people of color as to what direction we need to take to find solutions for what I'm calling this inhumanity, the stripping away of humaneness of who we are as people.[38]

Josie Gonzalez expressed her anger at the white community for being exclusionary, particularly asserting that many whites presume to speak on behalf of people of color and that people of color are not allowed to have a role in community decisions.

> I am very angry. I am angry about a lot of things. I am angry about white people speaking for me when I don't ask them to. I'm angry about they going to city hall for representing me. I'm angry at white people applying for grants and getting them grants off of my backs or my people's backs and not letting us take part in decisions of where or how that money is going to be spent. We are notorious in this city for getting a lot of people of color in our effort coming—yes, they define what our needs are and then we never get to see the money. We never define what is going to happen to that money, but we see a lot of white people in power.
>
> We have migrant programs where the whole administration from the top to the classroom teacher is predominantly white. But the people that you see in the classroom is to serve Latino children, migrant children, which are predominately Mexican American children from Texas in the summer. But the whole administration is white. It's not reflective of the community that they are supposed to serve. And it's the same thing in the school district and the medical professions, in the police department, when sometimes white people go on and they speak for us. While I believe they are well meaning, they are being gatekeepers. They are gatekeeping information from us. They are not allowing us to access information, and they are not allowing us to speak for ourselves. And I personally do not need a white person to speak for me at city hall or any other place. So, any white leaders that are here that speak for me, when you speak for Latino leaders, I'm Latino, you cannot exclude me [and] you cannot speak for me. That is clear racism.
>
> The other thing that I have come to realize that when we Latinos are on committees, we are not validated. We are the token "spic" on those committees. That's how I'm perceived and that's how I'm treated and that's how my ideas are treated. So, if my rage and my anger is coming through, that's because that is how I feel. And that's my reality; that's what I live with. When we go to the grocery store, we get followed. I know when I'm tailed.
>
> The Mexican American culture that's resettled here, this is our community too. However, we do not appear to be looked at as citizens of this community. Several weeks ago we held an event with the police department because we have started opening dialogues with them, and it has been a positive experience. It has been coming for a long time and we were very happy to see it finally come to not full bloom, but the bud is there. And one of the questions that was asked was how everybody was investing in Moorhead, and I realized for the past two years I had been feeling like it was my turn to speak. I said, "I'm here and I'm ready to leave Moorhead because I am tired of having to mold myself to fit this environment. Now, if I go to Texas at least I know that when I go in a grocery store and I'm followed, it's not going to be because of my skin color. I'm tired of having to mold myself to fit this environment. And it's a white person's environment; I am never going to fit. I'm tired. I need to go."[39]

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[38] Hector Martinez, Transcript, pp. 327–29.

[39] Josie Gonzalez, Transcript, pp. 366–68.

Lisa Diagos, who was a youth coordinator in the Romkey Park area for the city of Moorhead, discussed the hopes of Latino people to be accepted and have the same opportunities and privileges as those living in other parts of the city.

> In 1994, I was hired to work as a youth coordinator in the Romkey Park area coordinating summer recreational programs for youth. And from working with those programs, everyone in the neighborhood just wanted the same privileges as any other city park that exists here in Moorhead. They want the same activities and the same attention. They don't want to always be stereotyped as the bad neighborhood. I mean they're kids just like any other kids in any other area park.
>
> You know, there was a lot of money to help with trying to get these kids into the same activities as every other kid. But as the years went on, money was held back and there was not much money to do any activities; from having free and open public activities, it became starting to charge the same families. Well, most of the families who exist in that neighborhood are made up of five or six children, and there's not one family there that can probably give out money and these children are left out because money is an issue.[40]

Anita Flores Sunigi told the Committee about housing problems in the community.

> I am the third generation of migrant workers here. My grandpa has been here since 1940 and my father and my children are the fourth generation. And I'm speaking concerning what I've gone through here in Moorhead. I was born here though, you know, every summer I had been here with my mother. She's Native American, my father is Mexican. They met when working in the field because they Native Americans too long time ago work in the field and my parents too they suffer a lot of discrimination in housing, but for now I have got through many problems.
>
> I have been homeless with my family, six children. And I couldn't find a home because six children and two adults, they will not allow us in the three bedroom, and it was hard to find four bedrooms or five. The landlord said it is rented or whatever and sometimes a lot of people have to lie in order to live, to have a home. But, I didn't want to lie because I know I would get in trouble. By telling the truth you wouldn't find a house.
>
> Also about two years ago I heard a sheriff said if he was elected, he promised he would get rid of all the Mexicans in Moorhead, Minnesota, which is happening. They used techniques or whatever and also utilities. A lot of people had their utility shut down. I know in the winter they don't do it, but when people need help for emergency, like recently now there's an incident where this elderly woman and elderly man they're not eligible for emergency assistance any more and their gas is shut off. Their furnace is broke, there's no help for them, and it's during the winter . . .
>
> Kids call my kids and tell them that they should go back to Mexico where they belong. In food pantries, the lady at the food pantry said, "Why don't you go back to Texas and Mexico and get food? Why do you come here and use our food?" We have that problem running around going all over the place, dances, employment for our kids. It's hard for our kids to get employment, but lately I've been seeing that they're hiring kids of color. There's so much, but this is all I want to say about what's going through my life here.[41]

Harold Ironshield, a member of the Dakota Nation and director of the Northern Plaines Media Consortium, addressed the contrasting difference in perception between institutional leaders and individuals from minority communities.

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[40] Lisa Diagos, Transcript, pp. 260–62.

[41] Anita Sunigi, Transcript, pp. 165–69.

> The people of the Dakota Nation were residents here in Minnesota before 1862. I am the director of the Northern Plaines Media Consortium, which is a media organization primarily for Native tribal newspapers and radio stations that exist in the Northern Plaines region.
>
> Starting with the mayor of Moorhead all the way to the officials that spoke on behalf of the organizations and businesses, it sounds as if we were living here in heaven. But, shortly after that, you have heard testimony by those individuals who have encountered conflicts, issues of racism, issues of misunderstanding.
>
> I questioned the value of culture diversity in this area. If the culture diversity was working for many of us, you would not be here today listening to the concerns of those that are considered oppressed. Or the name that is being labeled that are considered the people of color. We are human beings as anyone. The color of our skin may be different, but we are human beings just like all of you.
>
> Today the Native population in Minnesota is 49,000 plus, according to the 1990 census. You heard testimony of one of our children being involved with a conflict in the Moorhead public schools. Our children as Native people are very sacred to us. Our traditions that we carry out as tribal members of the tribes that we belong to insist that we care for these children because that's our way of life as tribal people.
>
> Many of our children that attend the Moorhead public school system in some ways have been victimized because of who they are. You have heard testimony that many of the conflicts that they face are conflicts that are unnecessary. The situation that our children are put into is also unnecessary. I speak greatly on behalf of our children, and I come as a representative of migrant fathers and his grandfather who have spoke out so diligently for the rest of our people to exist as members of the tribal nations that live in this nation. I come here in that capacity. I come here as a human rights advocate as well for indigenous people whose voices are not heard.
>
> Here in Moorhead there are over 1,000 members of tribes that reside in this area, Fargo-Moorhead area, and many of those members of tribes come here for employment reasons and many have come here to seek what we call the American dream that does not exist for many of them. Unfortunately, we have a few in our community that are not as fortunate as others, and those are the ones that are victimized by society.[42]

Carey Lyon testified that there was a lack of interest by the community in providing public housing and public transportation for people with disabilities.

> I am bringing a new light in a minority issue here and that's the disability issue. Our organization is a nonprofit organization that works with people with differing abilities and also low income.
>
> One of our major accomplishments was suing the city of Moorhead for curb cuts. This was a very long drawn out process. It took five years, the city rebuffed us every time, and it cost the city $90,000 of lawyer fees where that could have gone to curb cuts or other accessible issues in this community.
>
> Another issue. This is when I was working with Moorhead State students with the social workers and one of the employees did a housing survey and one thing that they found out in the housing survey was that there's no accessible family units in Moorhead—none, not one.
>
> We are working on the public transportation system now too. I believe during the summer the bus route in Moorhead does not run late at night. Moreover, where they have regular routes, they are canceled on Sunday so basically no one will get to ride the bus on Sundays. You don't

[42] Harold Ironshield, Transcript, pp. 309–14.

get to go to church. You don't get to go anywhere. There's no night bus June, July, or August in Moorhead after the last bus at 6:15 because once the colleges are out, they stop running the night bus because the only night bus is the college bus. So, if you work in Moorhead or you live in South Moorhead over here, you'd better be home by 6 o'clock or you're hiking all the way from downtown Fargo or wherever home.[43]

Comments from minorities surveyed regarding public accommodation and equal housing opportunity included:

- "I was in line at a store waiting for five minutes. A white person came to the counter and the employee went to help him first."
- "In stores they watch you and follow you to make sure you do not take things. When I go for a walk I can hear people locking their doors."
- "It is not a matter of race relations getting better or worse because it is a disease that just won't go away. If anybody should be asked for a green card it should be the whites, because I didn't immigrate here."
- "Because some Mexicans drink, whites think all Mexicans have alcohol problems."
- "When I go to a store, as soon as they hear my accent they treat me different. They want to know where I am from, even after I tell them that I am from Moorhead."
- "Because of our minority level, we do not get the same service as the majority group."
- "We were at a local restaurant and they seated whites before us."
- "The second year we came to Moorhead, in 1995, there were stickers on the phone booths that said, 'Mexicans Go Home.' I don't know why whites think they own the U.S. if the Indians were here first. When we get together with other Hispanics it doesn't mean we are all a gang."
- "I am watched in stores and followed. Once a security person didn't see white girls stealing and leaving because he was too busy watching me."
- "Minorities do not have access to housing and mortgage loans. I had to threaten a lawsuit to get a home mortgage even though I had an A-plus rating."
- "I have worked for 11 years in Moorhead and still am unable to buy a house. I see race as the reason for the denial of mortgage loans."
- "We asked for a loan at a bank, but they said we had bad credit even though we have always paid our bills on time."
- "We tried to get a loan at a local bank, and I feel we were denied because we are Hispanic."[44]

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[43] Carey Lyon, Transcript, pp. 358–62.

[44] U.S. Commission on Civil Rights, Midwestern Regional Office, "Survey of Racial and Ethnic Attitudes in Moorhead, Minnesota," 1999.

III. Findings and Recommendations

Opening Comment

The U.S. Commission on Civil Rights is an independent, bipartisan agency of the federal government charged with studying discrimination or denials of equal protection on the basis of race, color, religion, sex, age, disability, or national origin. State Advisory Committees, such as the Minnesota Advisory Committee, operate in each state to advise the Commission on matters within the jurisdiction of the Commission.

To ensure independence and bipartisanship, State Advisory Committees are constituted to include individuals representing major political parties, a broad spectrum of political philosophies, and different races, religions, and geographic regions of the state. The Minnesota Advisory Committee is also independent of any national, state, or local administration, political organization, or advocacy group.

In the past five years, the Minnesota Advisory Committee has examined a number of race-related issues, including news media stereotyping of minorities; the enforcement of civil rights by local, state, and federal enforcement agencies; equal educational opportunity; and affirmative action. Since all of these studies were conducted in the eastern part of the state, the Minnesota Advisory Committee decided to go to Moorhead to examine race relations in the western part of the state.

In the experience of the Minnesota Advisory Committee, Moorhead is probably similar to most other cities in Minnesota regarding the state of ethnic and race relations. So although the particular degree and manifestation of racial and ethnic problems and tensions in Moorhead might vary from that of other Minnesota communities, the essential issues concerning race and ethnic relations in the city of Moorhead are likely typical of other communities in many respects.

To that end, the Minnesota Advisory Committee notes that for the most part overt, egregious racist behavior and attitudes are not tolerated by the vast majority of people, white or people of color, living and working in the metropolitan Moorhead area. Though this is a positive situation, it does not mean that prejudice and bigotry do not exist or that discrimination in employment, housing, and education does not occur.

The Committee finds that in Moorhead among the majority population there is an "illusion about inclusion." This lack of consciousness about racial and ethnic prejudice allows white individuals to honestly maintain a support for a just and equal opportunity society, without having to accept any personal responsibility either for an unjust, unfair, and unbalanced system or for working toward a resolution of the problem.

The result becomes observable in Moorhead and in many other parts of the state. The minority and white communities exist as virtually separate communities, with the minority community disproportionately relegated to the less desirable jobs, housing, and educational programs. Since there are few open and visible manifestations of overt discrimination, there is no easily identified locus of the problem and no simple, direct way to address latent bigotry and prejudice in the Moorhead community.

In recent years, local political leaders and community organizations have engaged in efforts to improve the climate of race and ethnic relations and to eliminate discrimination. Still, startling disparities and inequalities along racial and ethnic lines persist in the Moorhead metropolitan area. Consider:

- Minorities remain concentrated in the lowest paying and least desirable clerical and service sector jobs, while whites dominate managerial and professional jobs (see table 2.2).

CLOSING COMMENT

The purpose of this report is to put before the citizen community and the civil, religious, and political institutions an assessment of equal opportunity and race and ethnic relations in Moorhead and to give a voice to those most affected.

As such, the Advisory Committee finds that there is a social climate in Moorhead promoting the persistence of racial and ethnic problems and a thwarting of equal opportunity for people of color. This climate is neither acknowledged nor recognized by most in the majority community, who appear to assume that race and ethnic problems will dissipate in time.

The mayor of Moorhead, Morris Lanning, has committed his administration and the community to achieving a diverse and open community devoid of racial and ethnic discrimination. He said, "Let me make it very clear that we want as a community to appreciate and celebrate our diversity, and we want to deal with discrimination and bad things that happen in race relationships and deal with them effectively as a community. We are committed to that."[45]

The Committee notes, however, that when the leadership of the white community has committed to involve itself in examining and resolving these issues, simple "Band-Aid" solutions to deeply ingrained institutional practices have been what has been offered.

A change in the disparities of opportunity, both perceived and real, between the white community and the communities of people of color will lead to a healthier community for all citizens. The challenge to Moorhead and other Minnesota communities is whether they have the courage to undertake the fundamental changes that will allow people of color to have a genuine share in the power, responsibility, and rewards of a prospering community.

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[45] Mayor Morris L. Lanning, statement before the Minnesota Advisory Committee to the U.S. Commission on Civil Rights, fact-finding meeting, Moorhead, MN, May 24 and 25, 1999, p. 13.

Recommendation 3.1. There is an urgent need for the city and police administrations to develop programs and policing strategies that will foster cooperative and trusting relationships between the police and the minority communities. Such programs and strategies must actively engage the minority communities to begin to break down the barriers of distrust that have built up over the years.

Finding 3.2. The Crime Free Multi-Housing Program provided to landlords promotes de facto segregation in housing by virtue of its adverse impact on Latinos and American Indians. The Committee is troubled by ties between police and landlords in providing data on prospective tenants. The Committee holds that such a practice goes far beyond normal police functions, may violate state privacy laws, and certainly adds fuel to the distrust that exists between the minority community and the police.

Recommendation 3.2. The Crime Free Multi-Housing Program needs reassessment. First, that reassessment should be done in open meetings so that the public can view and hear all elements brought to bear on both the purpose and implementation of the program. Second, now that there is some history of the program an assessment should be done considering the demonstrated—not hypothetical—benefits of the program against the costs of the program both in terms of policing resources and the social costs of marginalizing the minority community.

4. Housing and Public Accommodation

Finding 4.1. Moorhead is not a color-blind community. Individuals in the community are color conscious, see skin color, and often act—even if subconsciously—on stereotypes associated with skin color. Significant differences exist between the views of whites and people of color regarding public accommodation and equal access to housing. The white community holds that equal respect and accommodation are provided to all citizens regardless of race or color, and the testimony from public officials reflects of this perception.

In contrast, minorities understand there to be prejudicial behaviors operating on a regular and daily basis by many whites toward people of color.

Recommendation 4.1. Some individuals in the Moorhead community should recognize, as uncomfortable as it may be, that they see skin color and associate stereotypes with skin color. Further, it should be recognized that the refusal by individuals to acknowledge the presence of such color-consciousness and subconscious stereotyping perpetuates covert, institutional barriers limiting access to equal opportunity in employment, education, housing, and public accommodation for people of color.

Finding 4.2. Several groups allege that Community Development Block Grant (CDBG) funds are not being provided equally to minority communities.

Recommendation 4.2. An assessment of the disbursement of CDBG funds should be done in open meetings so that the public can view and hear all elements brought to bear both on the purpose and implementation of the program. This needs to be done to allay concerns that the white community is utilizing a disproportionate share of such funds at the expense of the minority communities.

2. Education

Finding 2.1. Significant differences exist between the views of whites and those of minorities regarding equal educational opportunity. The white community assumes that equal opportunity in education is provided to all students regardless of race or color, and the testimony of the school administration supports this perception. In contrast, minorities perceive barriers to equal educational opportunity. And reinforcing this perception is the fact that minorities are disproportionately overrepresented in the alternative school programs, have significantly higher dropout rates, and are much more likely to be disciplined.

Recommendation 2.1. School administrators acknowledge that disparities exist along racial and ethnic lines in graduation rates, alternative school placement, and discipline. Though acknowledging the existence of the disparity is a start, public schools need to undertake an open examination of these disparities and work with the minority community to understand how such disparities evolved and what institutional barriers may exist allowing such disparities to persist.

Finding 2.2. The reality of the educational experience for minority students is that they interact almost exclusively with white teachers. There are only five minority teachers in the city's public school system. Minorities are less than 2 percent of teachers, though minorities constitute nearly 15 percent of the student body. Two of the minority faculty members at the secondary level are assigned to the district's alternative school program.

Recommendation 2.2. The Moorhead public school district should commit to an affirmative action program designed to recruit, hire, and promote people of color for faculty, support, and administrative positions. Such an affirmative action program should include specifically identified recruitment efforts and goals and timetables for achieving an ethnically and racially diverse work force.

Finding 2.3. The Moorhead Community Alternative Program (MCAP), the school district's alternative educational program, promotes de facto segregation in the Moorhead public schools. Testimony received at the fact-finding meeting, coupled with educational data, supports this finding. Latinos make up less than 10 percent of public school students and one-third of all MCAP students; American Indians aré less than 3 percent of public school students and nearly 20 percent of all MCAP students.

Recommendation 2.3. The MCAP should be openly and publicly examined, with input from the minority community, as to whether any overt or covert racial and ethnic bias exists for placing students into the program.

3. Public Safety

Finding 3.1. Differences exist between the white community and the minority community in the perception of police services. The white community overwhelmingly perceives that respectful and quality policing is provided equally to all communities. In contrast, the minority community perceives policing in Moorhead to be color biased and unequal.

The survey of the minority community and testimony received at the fact-finding meeting demonstrated to the Advisory Committee that no issue is more contentious among minorities in Moorhead than their perception that policing practices in Moorhead are unequal and unfair toward minorities. Moreover, the perception of the minority community is bolstered by the extreme disparity in arrest rates between minorities and nonminorities. The Committee discerns minorities as viewing the police not as an organization that is providing public safety services to their communities but rather as an occupation force.

- Per capita income for minorities is significantly lower compared with income of whites (see table 2.1).
- Minorities disproportionately do not attain a high school education. Thirty-four percent of minorities over the age of 25 do not have a high school diploma, while just 18 percent of whites do not (see page 14).
- Homeownership rates are significantly different between minorities and nonminorities. In Clay County, the homeownership rate for whites is 72.8 percent, but just 40.1 percent of minority households own homes (see table 2.13).

Findings and Recommendations

1. Income and Employment

Finding 1.1. Stark differences exist between the white community's and the minority community's perception of equal employment opportunity. A survey of the Moorhead community shows that whites assume that equal opportunity in employment and earning a livelihood exists, and the testimony of public leaders supports the survey results. In contrast, minorities perceive barriers to equal employment opportunity.

The per capita income of minorities in Moorhead is one-third that of whites, minorities are clustered in the lowest paying jobs of the labor force, and public employment opportunity is virtually closed to minorities. All these factors support the perceptions of the minority community.

Finding 1.2. Minorities are disproportionately underrepresented in the public work force. In employment opportunity with the city administration, in the public schools, and within the police department minorities are significantly underrepresented proportional to their population. This lack of minorities in public sector employment is at distinct variance from the usual practice in most larger communities, where the public sector is the leader in offering equal employment opportunity.

Recommendation 1.2. The city of Moorhead should commit to an affirmative action program designed to recruit, hire, and promote people of color. Affirmative action programs are forms of outreach to formerly excluded segments of society—not programs of preferences or quotas. Moorhead remains a color-conscious community. For equal employment opportunity to become a reality, employers must take specifically designed actions, such as affirmative action, both to counteract the consequences of past discrimination and to ensure nondiscrimination in current practices. The public sector needs to set the example for the private sector.

Finding 1.3. The Moorhead Human Rights Commission is a weak and ineffective enforcement mechanism for ensuring equal employment opportunity. The Moorhead Human Rights Commission is an agency with no full-time staff and without any investigatory power. Though it is part of the State League of Human Rights Agencies and serves as a moral guide to the community on human rights issues, it simply does not have the ability to investigate effectively and resolve complaints of employment discrimination.

Recommendation 1.3. The city should vest the Human Rights Commission with real enforcement power, e.g., investigatory power and mandatory mediation. At the very least, the agency should be some form of a "whistle-blower" agency, identifying overt and covert institutional practices precluding equal employment opportunity.

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